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EXPRESS MAIL NO. EL897868028US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(To be used for all correspondence  
after initial filing)

Application Number	09/872,475
Filing Date	June 1, 2001
First Named Inventor	Richard Shann
Group Art Unit	
Examiner Name	
Attorney Docket No.	858063.452

## ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input checked="" type="checkbox"/> Cited References <input checked="" type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (for an Application) <input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): <u>Copy of Notice to File Missing Parts</u> _____ _____ _____ _____
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Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name	Robert Iannucci	 00500 PATENT TRADEMARK OFFICE
Signature		
Date	September 13, 2001	

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date specified below.

Typed or printed name		
Signature		Date:



EXPRESS MAIL NO. EL897868028US

PTO/SB/17 (11-00)  
Approved for use through 10/31/2002. OMB 0651-0032**FEE TRANSMITTAL  
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**1,036****Complete if Known**

Application Number	<b>09/872,475</b>
Filing Date	<b>June 1, 2001</b>
First Named Inventor	<b>Richard Shann</b>
Examiner Name	
Group Art Unit	
Attorney Docket No.	<b>858063.452</b>

**METHOD OF PAYMENT**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number**19-1090**Deposit  
Account  
Name**Seed Intellectual Property Law Group PLLC**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any overpayment to Deposit Account Number above.

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	<b>710</b>
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					<b>(\$ 710)</b>

**2. EXTRA CLAIM FEES**

			Extra Claims		Fee from below		Fee Paid
Total Claims	<b>22</b>	-20** =	<b>2</b>	X	<b>18</b>	=	<b>36</b>
Independent Claims	<b>5</b>	-3** =	<b>2</b>	X	<b>80</b>	=	<b>160</b>
Multiple Dependent				X		=	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim, if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					<b>(\$ 196)</b>

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	<b>130</b>
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 130)

**SUBMITTED BY**Name  
(Print/Type) **Robert Iannucci**Registration No.  
Attorney/Agent **33,514**Firm Name/  
Address

Signature

Date

**September 13, 2001****00500**

PATENT TRADEMARK OFFICE



EXPRESS MAIL NO.: EL897868028US

13

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard Shann et al.  
Application No. : 09/872,475  
Filed : June 1, 2001  
For : FORMING AN EXECUTABLE PROGRAM  
Docket No. : 858063.452  
Date : September 13, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231


RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated August 3, 2001, please find enclosed the following documents:

  X   Fee  
  X   Oath/Declaration and Power of Attorney  
  X   Copy of Notice to File Missing Parts  
  X   7 Sheets of Formal Drawings  
       Other \_\_\_\_\_

Respectfully submitted,  
Richard Shann et al.  
Seed Intellectual Property Law Group PLLC

  
\_\_\_\_\_  
Robert Iannucci  
Registration No. 33,514

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EXPRESS MAIL NO.: EL897868028US

UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,475	06/01/2001	Richard Shann	858063.452

CONFIRMATION NO. 9501

 00500  
 SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
 701 FIFTH AVE  
 SUITE 6300  
 SEATTLE, WA 98104-7092

## FORMALITIES LETTER



\*OC000000006379007\*

Date Mailed: 08/03/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$196.
 

<ul style="list-style-type: none"> <li>\$36 for 2 total claims over 20.</li> <li>\$160 for 2 independent claims over 3.</li> </ul>	09/19/2001 MBERHE 00000044 09872475 01 FC:101 710.00 OP 02 FC:105 130.00 OP 03 FC:103 36.00 OP 04 FC:102 160.00 OP
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- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1036.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

*A copy of this notice MUST be returned with the reply.*

*GP*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

703 308 1202



EXPRESS MAIL NO.: EL897868028US #3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Richard Shann et al.  
Application No. : 09/872,475  
Filed : June 1, 2001  
For : FORMING AN EXECUTABLE PROGRAM

Docket No. : 858063.452

Date : September 13, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

FILING FORMAL DRAWINGS

Commissioner for Patents:

Enclosed are seven sheets of formal drawings, Figures 1-7, for filing in the above-identified application.

Respectfully submitted,  
Richard Shann et al.  
Seed Intellectual Property Law Group PLLC

Robert Iannucci  
Registration No. 33,514

RXI:kkh

Enclosures:

Formal Drawings (7 sheets, Figs. 1-7)

701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092  
Phone: (206) 622-4900  
Fax: (206) 682-6031  
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